

district judge that was ordered earlier, the Senate then resume consideration of H.R. 4939, the emergency supplemental appropriations bill, for debate only until after the 2:15 recess. I further ask that the Senate stand in recess from 12:30 until 2:15 to accommodate the weekly policy luncheons.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. McCONNELL. Mr. President and colleagues, the first vote of the week will be tomorrow morning at approximately 11 o'clock on a district judge. Following that vote, we will begin consideration of the emergency supplemental appropriations bill. Senators who intend to offer amendments to that bill are reminded to work with the bill managers. Additional votes obviously will occur, we hope, tomorrow afternoon.

ORDER FOR ADJOURNMENT

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask that the Senate stand in adjournment under the previous order following the remarks of Senator INHOFE and Senator SPECTER for up to 15 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BENNETT). Without objection, it is so ordered.

TRIBUTE TO FEDERAL JUDGE EDWARD R. BECKER

Mr. SPECTER. Mr. President, I have sought recognition to speak about the extraordinary career of Federal Judge Edward R. Becker who was appointed to the United States District Court for the Eastern District of Pennsylvania in 1970, was elevated to the Court of Appeals for the Third Circuit in 1982, was Chief Judge of the Circuit Court from February 1998 until May 2003, and continues to serve as a Senior Judge.

In addition to his 35-plus years on the Federal bench, he also has the distinction of being the 101st United States Senator. Some, who have laid claim to the position of 101st Senator, have enhanced their status. To identify Judge Becker as the 101st Senator is to enhance the status of the United States Senate.

Judge Becker became a member of the Senate's family by his negotiating, cajoling, and writing most of Senate Bill 852 dealing with asbestos reform.

At my request, he convened the so-called stakeholders—that is, the manufacturers, labor—AFL—CIO, insurers and trial lawyers—in his Philadelphia chambers for 2 days in August 2003 to preside over discussions leading to the structuring of the asbestos reform bill.

Thereafter, on about 50 occasions, frequently with my being present, he continued to preside over negotiations with stakeholders in meetings attended by 20 to 50 interested parties. Beyond that, he met with numerous individual Senators, representatives of the stakeholders on dozens of occasions, and continuously counseled Judiciary Committee staff for almost 3 years. When the legislation was in committee and on the Senate floor, Judge Becker was at my side continuously counseling on the next steps to be taken to promote the bill's passage.

He undertook this arduous extra assignment in addition to his judicial duties notwithstanding the fact that he was undergoing treatment for prostate cancer.

When told of Judge Becker's contribution to this important legislation, President George Bush inscribed a tribute to Judge Becker on the face of Senate Bill 852 designating it as the "Becker Bill".

I first met Ed Becker in the fall of 1950 when we rode the Frankford elevated train, public transportation, together for about an hour each morning from Northeast Philadelphia to the University of Pennsylvania. He graduated Phi Beta Kappa from Penn in 1954 and, again with academic distinction, from the Yale Law School in 1957, which we again attended together. We were colleagues in a celebrated debate against the Norfolk Massachusetts State Prison team in 1952 before approximately 800 inmates, truly a captive audience. The prison team took the affirmative on the subject: Resolved that the Communist Party should be outlawed. Editors from the then-five Boston newspapers voted 4 to 1 that the prisoners won the debate.

Following graduation from law school, he had a distinguished law practice in the partnership of Becker, Becker and Fryman, his father and brother-in-law. He was active in politics, becoming a Republican committeeman, as his father was before him. He worked the rowhouses in Northeast Philadelphia going door to door seeking new registrations and support for his Party. He undertook kamikaze candidacies for State Senate and City Council on the Republican ticket in Philadelphia, a city totally dominated by Democrats. He represented the Republican Party as counsel in complex court proceedings.

He was a lawyer's lawyer, just as he later became a judge's judge. I turned to him for counseling and representation when the Supreme Court of Pennsylvania on three occasions in 1967 ruled on my status as to be a candidate for mayor while continuing to serve as district attorney. The Philadelphia

Home Rule Charter prohibited any city officer from being a candidate for any other office. With his assistance, we won all three cases. If I had followed his political advice as well as his legal advice, I probably would have been elected mayor; but who knows what would have happened after that.

When appointed to the Federal Bench in 1970 at the age of 37, he merited the position both in terms of exceptional competency and extraordinary contribution to his party. No one in my experience has merited the appointment to the Federal bench more than Judge Becker on both counts.

Judge Becker and I have been good friends, really best friends, in the intervening years. Our wives were school-girl classmates. Joan Levy, now Specter, sat next to Flora Liman, now Becker in alphabetical order in Olney High School.

As Chief Judge of the Court of Appeals for the Third Circuit, he brought many innovations. In 2002, he was the recipient of the coveted Edward J. Devitt Distinguished Service to Justice Award with his selection as the most distinguished Article III Judge out of 862 then sitting "whose career has been exemplary, measured by their significant contributions to the administration of justice, the advancement of the rule of law, and the improvement of society as a whole."

He brought to the bench a prodigious work ethic. He is never without a stack of briefs which he reads whenever he has a moment to spare. At Philadelphia Eagles' football games, he would read those briefs during halftime preferring them to the dancing cheerleaders. He would even sneak a peak—I mean a peak at the briefs—during the incessant timeouts for the endless commercials.

Among his landmark decisions are three opinions adopted by the Supreme Court on cutting-edge issues. He pioneered new law on the reliability of scientific evidence which formed the basis for Justice Blackmun's decision in 1993 in *Daubert v. Merrell Dow Pharmaceuticals*. Similarly, he originated the rationale on class action certification adopted by Judge Ginsburg in 1995 in *Georgine v. Amchem Products*. When he disagreed with seven other Circuit Courts of Appeals, the Supreme Court followed his judgment on *ERISA Standards of Review in Firestone Tire & Rubber Co. v. Bruch*. He was consistently recognized by the University of Chicago Law Review as being among the three Circuit Judges most often cited by the Supreme Court.

His 2,000 judicial opinions, filling many volumes on law library shelves, are legendary—long, thorough, analytical with many footnotes. His masterful handling of Japanese electronics case produced four opinions exceeding 2,000 pages having ruled three times on complex evidentiary issues before granting summary judgment in a highly unusual case. His versatility was demonstrated when he once wrote an